

Appln. No. 10/789,713  
Amendment dated February 23, 2005  
Reply to Office Action mailed November 23, 2004

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims** (deleted text being struck through and added text being underlined):

1. (Currently Amended) A retaining device for an item of apparel comprising a flexible band having an engagement means for selectively engaging an item of apparel, said flexible band being conformable around an extremity of a user;

a pocket positioned on an interior surface of said flexible band, said pocket selectively retaining a user accessory, said pocket having an open side for permitting insertion of the user accessory in said pocket through said open side, said open side of said pocket being positioned in spaced relationship from an edge of said flexible band to inhibit access to said pocket when said flexible band is being worn by the user, said pocket being visually obscured by said flexible band.

2. (Original) The device of claim 1, wherein said flexible band being formed in a generally round shape and having an interior surface abutting the item of apparel, said flexible band having an exterior surface opposite said interior surface.

3. (Original) The device of claim 2, wherein said exterior surface includes a indicia.

4. (Cancelled)

5. (Original) The device of claim 2, further comprising at least one illumination member operationally coupled to said flexible band.

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6. (Original) The device of claim 1, wherein said engagement means further comprises a fastening member selected from the group of fastening members consisting of a clip, snap, hook and loop fastener, teeth, clasp and velvet.

7. (Original) The device of claim 1, wherein said engagement means is mechanical compression of said flexible band.

8. (Original) The device of claim 1, wherein said flexible band is shaped in an organic form.

9. (Cancelled)

10. (Currently Amended) The device of claim 1, further comprising:  
said flexible band being formed in a generally round shape and having an interior surface abutting the item of apparel, said flexible band having an exterior surface opposite said interior, said exterior surface includes a indicia;

~~said flexible band further comprises a pocket positioned on said interior surface, said pocket selectively retaining a user accessory, said pocket being visually obscured from said exterior surface;~~

at least one illumination member operationally coupled to said flexible band;

wherein said engagement means further comprises a fastening member selected from the group of fastening members consisting of a clip, snap, hook and loop fastener, teeth, clasp and velvet; and

wherein said flexible band is shaped in the appearance of an organic form ~~is selected from the group of organic forms consisting of a snake, a feather, and a leaf.~~

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11. (Currently Amended) A method of providing ornamentation to an article of apparel comprising:

providing a flexible band having an engagement means for selectively engaging an item of apparel, said flexible band being conformable around an extremity of a user;

providing a pocket positioned on an interior surface of said flexible band, said pocket selectively retaining a user accessory, said pocket having an open side for permitting insertion of the user accessory in said pocket through said open side, said open side of said pocket being positioned in spaced relationship from an edge of said flexible band to inhibit access to said pocket when said flexible band is being worn by the user, said pocket being visually obscured by said flexible band; and

coupling said flexible band to said article of apparel.

12. (Currently Amended) The method of claim 11, wherein said flexible band being formed in a generally round shape and having an interior surface abutting the item of apparel, said flexible band having an exterior surface opposite said interior, said exterior surface includes a indicia, ~~said flexible band further comprises a pocket positioned on said interior surface, said pocket selectively retaining a user accessory, said pocket being visually obscured from said exterior surface.~~

13. (Original) The method of claim 11, wherein engagement means further comprises a fastening member selected from the group of fastening members consisting of a clip, snap, hook and loop fastener, teeth, clasp and velvet.

14. (Original) The method of claim 11, further comprising:  
positioning a portion of the article of apparel on a desired portion of the extremity of the user; and

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retaining the article of apparel in the desired position with said engagement means.

15. (Original) The method of claim 14, wherein said portion of the article of apparel is a pant cuff.

16. (Original) The method of claim 14, wherein said portion of the article of apparel is a sleeve cuff.